## REMARKS

Claims 1-15 are pending in the application. Applicants amend the specification for minor corrections; and amend claims 1, 6, and 11 for clarification. Applicants refer to page 32, line 10 to page 33, line 18 in the specification for an exemplary embodiment of and support for the claimed invention. No new matter has been added.

The Examiner contended that Applicants failed to perfect a 35 U.S.C. § 119 foreign priority claim by failing to submit a certified copy and English translation of the priority application. Applicants point out to the Examiner that the present application is a continuation of International Application Number PCT/JP99/03588, and, therefore, claims domestic priority under 35 U.S.C. §§ 120 and 363. Applicants, nevertheless, submit herewith a certified copy and English translation of the parent application to perfect the priority claim under 35 U.S.C. § 365(c).

Claims 1, 6, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over U.S. Patent No. 6,785,730 to Taylor in view of U.S. Patent No. 5,774,668 to Choquier et al.; claims 2, 5, 7, 10, 12, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over Taylor in view of Choquier et al., and further in view of U.S. Patent No. 5,687,167 to Bertin et al.; and claims 3-4, 8-9, and 13-14 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over Taylor in view of U.S. Patent No. 6,275,470 to Ricciulli.

Taylor was not filed until after the priority date of the claimed invention, but is based on a provisional application that was filed before the priority date. As such, Applicants request that the Examiner provide a copy of the provisional application to show support for the claim rejections.

In any event, Applicants amend claims 1, 6, and 11 in a good faith effort to clarify the invention as distinguished from the cited references, and respectfully traverse the rejections.

Taylor describes a protocol translator for translating messages to and from devices, such as wireless devices, between protocols, such as the WAP. The Examiner relied upon the description of the protocol translator as alleged disclosure of the claimed second device that does not support the protocol of the network service request. The Examiner conceded that Taylor does not disclose the features of the claimed service mapping section, but relied upon Choquier et al. as a combining reference that allegedly suggests these features. Choquier et al. describe an application server load balancing technique.

The Examiner has failed to establish a prima facie case of obviousness by using improper hindsight from the claimed invention in combining the references in the manner proposed. Taylor describes a protocol translation technique for end-user devices, while Choquier et al. describe a disparate load balancing technique for application servers. The cited portions of these references, therefore, do not include any disclosure or suggestion to combine the application server load balancing technique described in Choquier et al. into the end-user device-side protocol translation described in Taylor, or vice versa.

Even assuming, arguendo, that it would have been obvious to one skilled in the art to combine the references at the time the claimed invention was made, such a combination of these references would have, at most, suggested a complementary system having wireless end-user devices accessing via the protocol translation described in Taylor load-balanced application servers, as described in Choquier et al. The combination would, therefore, still have failed to suggest the claimed second device parameter control features.

Furthermore, the Examiner relied upon col. 6, lines 14-15 and col. 13, lines 6-9 of Taylor as alleged disclosure of the claimed feature of calculating an IP route. Such portions of Taylor only include, however, description of a step 70 of determining a target device—in other words, determining the type of the target device. If the device is not known, the process described in Taylor proceeds to step 72 of selecting the most basic device type and removing graphics. Please see Fig. 2 of Taylor. The process then proceeds to a step 73 of building a device-specific (or "most basic" type) message outline.

Thus, the cited portions of Taylor only include description of determining a target device type and forming a message outline accordingly. Such portions do not disclose or suggest the claimed feature of calculating an IP route for providing a network service to a user.

Even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine the references, such a combination would still have failed to disclose or suggest,

> "[a] service allocating device in a network where at least one first device which responds to a network service request transmitted by a user and at least one second device which does not support a protocol of the network service request are connected and said second device having a setting of which can be modified from outside said second device, comprising:
>
> a network information collecting section for obtaining information about a network service provided by the first device, responsive to the network service request, by communicating with said first device;
>
> a setting device determining section for specifying the second device, which does not support the protocol of the network service request, by calculating an IP route to the user based on information from the network information collecting section;
>
> a service mapping section for mapping network service parameters for setting priority-based ***control*** and routing information to be set into parameter values corresponding to the second device specified by the setting device determining section; and

> a service setting section for communicating with the second device and setting the parameter values obtained by the service mapping section in the second device,
>
> thereby said service allocating device responds to the network service request by ***controlling*** the parameter values of the second device, allowing the second device to provide a network service corresponding to the network service provided by the first device, according to the network service request received by the first device," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1 is patentable over AAPA and Verplanken et al., separately and in combination, for at least the foregoing reasons. Claim 2 incorporates features that correspond to those of claim 1 cited above, and is, therefore, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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